

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF WEST VIRGINIA
AT CHARLESTON**

UNITED STATES OF AMERICA

v.

Criminal No. 2:09-00251-5

**COLLINS A. MASESE,
also known as “Collins A. Keanche”**

**DEFENDANT’S MOTIONS TO CONTINUE TRIAL AND TO ESTABLISH A NEW
TRIAL SCHEDULE PERMITTING FURTHER MOTIONS**

Now comes the Defendant, **Collins A. Masese, a/k/a Collins A. Keanche**, by counsel, Dennis H. Curry, and moves this Court to continue the current trial schedule for a minimum of sixty (60) days, and to establish a new trial schedule permitting further motions based upon the following grounds:

1. That the Court has formerly set a schedule in this case requiring Motions to be filed on or before January 19, 2010, a Motions Hearing be held on January 26, 2010, Proposed Voir Dire and Jury Instructions to be submitted to the Court on or before February 17, 2010, a List of Prospective Witnesses to be submitted to the Court on or before February 19, 2010, and that a Trial is set for February 22, 2010,
2. That, as of this date, Counsel has been provided with an extraordinary amount of discovery, primarily comprised of two disclosures of, firstly, fifteen (15) compact disks, and, secondly (just received on January 16th) another disclosure comprised of another eight (8) compact disks,

3. That the Defendant (and other co-defendants) have been held in custody in Marietta, Ohio, remote from the District,
4. That Counsel has not had a reasonable opportunity to review the discovery,
5. That this case involves possibly more disclosures of complex financial dealings across several States and even internationally that will require an extraordinary effort to collate, review, research, review with the Defendant and respond in any meaningful fashion,
6. That effective assistance of counsel requires the time requested herein,
7. That Counsel believes that even more time may be quite appropriate under the circumstances, but in conformance to the judgments by co-counsels for co-defendants, requests this continuance for this period of time, and
8. That, in the event that the Court grants this Motion, a continuance be for at least sixty (60) days or for such time as the Court should deem just and appropriate.

Defendant, therefore, moves this Court to continue the trial and to establish a new trial schedule permitting further motions based upon the good cause shown herein.

Respectfully submitted this 17th day of January, 2010.

COLLINS A. MASESE,
also known as "Collins A. Keanche,"
By Counsel

s/Dennis H. Curry
Dennis H. Curry
Attorney at Law
WV State Bar ID #909
P.O. Box 9
Spencer, West Virginia 25276
Telephone: (304) 927-4555
Fax: (304) 927-0944
E-mail: currylaw@earthlink.net

CERTIFICATE OF SERVICE

I, Dennis H. Curry, Counsel for Defendant, hereby certify that on this 17th day of January, 2010, I have served a copy of the attached **DEFENDANT'S MOTIONS TO CONTINUE TRIAL AND TO ESTABLISH A NEW TRIAL SCHEDULE PERMITTING FURTHER MOTIONS** by filing same with the Court using CM/ECF which will send notification of such filing to the following CM/ECF participant:

Susan M. Robinson, Esquire
Assistant United States Attorney

s/Dennis H. Curry
Dennis H. Curry
Attorney at Law
WV State Bar ID #909
P.O. Box 9
Spencer, West Virginia 25276
Telephone: (304) 927-4555
Fax: (304) 927-0944
E-mail: currylaw@earthlink.net